

REMARKS

The Examiner rejects Claims 67-118 under 35 U.S.C. §102(e) as being anticipated by Mistry (U.S. Patent 6,426,950).

Applicant respectfully traverses the Examiner's rejections. Mistry fails to teach or suggest at least the italicized language in the following newly added claims:

67. A method of transferring a telephone call and associated data, comprising:

receiving, on a workstation that is connected to a telephone call, a request to transfer the telephone call to a destination external to the workstation;

the workstation establishing a data communications link between the workstation and the destination;

the workstation transferring data associated with the telephone call to the destination via the communications link;

the workstation receiving from the destination a telephone address of the destination; and

requesting from the workstation that a switch external to the workstation transfer the telephone call to the telephone address of the destination.

84. A method of transferring a voice communication and associated data, comprising:

receiving, on a first workstation that is connected to a voice communication, a request to transfer the voice communication to a second workstation different from the first workstation;

the first workstation thereafter establishing a data communications link between the first workstation and the second workstation;

the first workstation directly transferring data associated with the voice communication to the second workstation via the communications link; and

requesting from the first workstation that a switch external to the first and second workstations transfer the voice communication to an address of the second workstation.

100. A method of transferring a voice communication and associated data, comprising:

providing a workstation, the workstation being connected to a voice communication, having in memory data associated with the voice communication, and being in receipt of a request to transfer the voice communication to a destination external to the workstation;

the workstation and destination establishing a data communications link between the workstation and the destination;

the destination receiving, from the workstation, the data associated with the voice communication via the communications link;

the destination sending to the workstation a telephone address of the destination; and

the telephone address at the destination being connected to the voice communication by a switch external to the workstation.

105. A call center, comprising:

at least first and second workstations;

a data communications link between the at least first and second workstations; and

a switch operable to connect a telephone call to the at least one of the first and second workstations, the at least first and second workstations being external to the switch;

wherein, when the first workstation is connected to a telephone call, the first workstation is operable to effect the transfer of the telephone call to the second workstation by (a) transferring data associated with the telephone call from the first workstation to the second workstation via the communications link (b) requesting that the switch transfer the telephone call to a telephone address of the second workstation.

111. A call center agent workstation, comprising:

a telephone operable to receive a telephone call;

an agent interface operable to receive a request from an agent to transfer the telephone call to a destination external to the workstation; and

a flow connection module operable to (a) establish a data communications link between the workstation and the destination; (b) transfer data associated with the telephone call to the destination via the communications link; (c) receive from the destination a telephone address of the destination; and (d) request that a switch external to the workstation transfer the telephone call to the telephone address of the destination.

The present invention is directed to a call center in which voice communications, such as telephone calls, and associated data can be transferred directly between a workstation and a destination, particularly between workstations. The data is transferred by means of a data communications link established between the source and destination. The call itself is transferred

Application No. 09/235,065

from the workstation to the destination via a switch to an address preferably supplied by the destination.

Mistry does not teach or suggest the claimed invention.

Mistry is directed to a method of resource management at computer controlled telephony hardware outside the PSTN. To avoid unnecessary long distance toll charges due to a first toll connection between a first party and the computer controlled telephony hardware and a second toll connection between a second party and the hardware, a resource management index associated with a service subscriber is used to manage resources at computer controlled telephony hardware operated by a service provider.

The Examiner relies on the example of Fig. 2. In that example and with reference to col. 6, line 47, to col. 7, line 60, a user at workstation 20 browsing a web page initiates a call request by a subscriber agent to his telephone 24 by activating a "voice button" on the displayed web page. Upon receiving the request, the web server 38 identifies the subscriber agent using information associated with the request and sends a query to the database server 54 requesting subscriber rules. Based on the rules, the web server 38 sends a request and call information to the CTI server 40 instructing the CTI server 40 to call the user's telephone 24. The call information presumably includes the telephone address of the telephone 24. When the call is answered, the CTI server 40 informs the web server 38 that the call is answered. Call alert information (regarding the placement of a call to the subscriber's telephone) is then sent by the web server 38 to the subscriber workstation 36. Based on the subscriber rules, the server 38 instructs the CTI server to call the service subscriber's telephone 34. The instruction presumably includes the telephone address of the subscriber's

Application No. 09/235,065

telephone 34. When the subscriber answers the call, the calls from the user to the CTI server and from the CTI server to the subscriber are presumably either transferred to the PSTN or bridged at the CTI hardware 44. (Col. 9, lines 1-32.) When the subscriber fails to answer the PSTN call, the web server 38 instructs the CTI server 40 to connect the user to the voice mail system of the subscriber 32 by means of a PSTN-PSTN call. The CTI server 40 formulates a call transfer request message and forwards it to a Service Switching Point (SSP) in the PSTN which services the CTI server 40. The message is typically in the form of a facility message that includes a call reference defining the call from the CTI hardware 44 to the subscriber (the voice mail system) and a facility command to invoke explicit transfer which includes a link ID that defines the call from the CTI hardware 44 to the user telephone 24. When the SSP accepts the request, proceeds with effecting the call transfer.

In yet another example depicted in Fig. 3 and discussed at col. 8, lines 1-56, a potential customer accesses a web server 45 using PC 20. A cookie is forwarded by the customer's web browser to the server 45. Based on the contents of the cookie, a telemarketing server 38 alerts a telemarketing agent's PC 36. On receipt of the alert, the agent offers the customer with an assistance invitation. If the customer accepts the invitation, it appears that he provides the telephone number of his telephone 24, and the call request, though being shown as passing directly from PC 22 to PC 36, is actually described as being received by the web server 45, forwarded to the web server 38 and onto the agent's PC 36 at which the agent accepts the call. The server 38 instructs the CTI server 40 to dial the number of the customer's telephone 24. The CTI server 40 is then instructed by the web server 38 to call the agent's telephone 34.

In yet another example depicted in Fig. 4 and described at col. 9, line 33 to col. 10, line 47, a subscriber 32 initiates a web session with web server 38, receives an email, and decides to call the sender of the email. The subscriber's PC 36, as part of the session, forwarded a cookie to the web server 38, which provided the current IP address of the subscriber 32. When the subscriber takes his telephone off-hook, the PBX 49 recognizes the off-hook condition and automatically connects the subscriber with the CTI server 40. The CTI server 40 extracts the telephone number of the subscriber and provides the number to the web server 38. The web server 38 retrieves the subscriber records from the database 54 and determines the IP address of PC 36. The web server 38 sends a request for the address to the email sender to the PC 36. The web server 38 receives from the directory server 45 the telephone number corresponding to the IP address. The web server 38 instructs the CTI server 40 to call the telephone number. When the call is answered, the call is transferred to the PSTN in the manner set forth previously.

In the foregoing examples and in Mistry generally, the call is placed after a call placement request is received from the user. Neither the workstations of the user nor the subscriber request the transfer of an existing (already connected) call. There is no data communications link between the workstations 20, 36 of the user and subscriber along which data associated with the telephone call is transferred; the data communications link is either between the web server 38 and the workstation of the calling party or between the web server 38 and the workstation of the called party. The workstation of the called party does not provide a telephone address of a corresponding telephone to the workstation of the calling party. Rather, the web server 38 or CTI server 40 obtains the telephone number from database server 54, the workstation of the party to be called, or the directory

Application No. 09/235,065

server 45. Any call transfer request comes not from a workstation but from the web server 38 or CTI server 40 applying subscriber rules.

The Examiner's reasons stated in the Final Office Action for rejecting these arguments are not supported by the text referenced by the Examiner.

Notwithstanding the foregoing, the Examiner continues her rejection of claims 67, 71-72, 75, 84-85, 88-89, 92, 100-101, and 105-106 by stating as follows:

Mistry discloses a method of transferring a telephone call and associated data (col. 6, lines 4-12, comprising receiving, on a workstation (client 18 and 20) that is connected to a telephone call (telephone 24 and 30), a request to transfer the telephone call to a destination (telephone 34 or 58) external to the workstation (col. 3, lines 18-25 and col. 6 lines 51-54); the workstation establishing a data communications link between the workstation and the destination; the workstation transferring data associated with the telephone call to the destination via the communications link (col. 6, lines 54-59); the workstation receiving from the destination a telephone address of the destination; and requesting from the workstation that a switch (PBX 49) external to the workstation transfer the telephone call to the telephone address of the destination (col. 5 lines 41-57, col. 6, lines 4-15, and col. 9 lines 1-32, and col. 10 lines 16-30).

Office Action at page 2.

This paragraph is incorrect for at least the following reasons.

First, workstation (client 18 and 20) is not connected to a telephone call. The workstation receives a request to *initiate* a telephone call with the destination (telephone 34 or 58). *See* col. 6, lines 51-59; col. 8, lines 7-10 and 17-33; col. 9, lines 44-56). For this reason, there is no request received by the workstation to transfer an existing telephone call, let alone transferring the call to another workstation (*see* claim 84 and 105). The text cited by the Examiner does not contradict these statements. At col. 3, lines 18-25, the call that is transferred is not received initially to a workstation of a subscriber and later transferred elsewhere. It is an incoming or outgoing call that

Application No. 09/235,065

is to be transferred to the Public Switched Telephone Network to reduce toll charges for toll calls.

At col. 6, lines 51-54, a request to *initiate* a call is received as noted above.

Second, workstation (client 18 and 20) does not establish a data communication link between the workstation and destination (telephone 34 or 58), let alone to another workstation. At col. 6, lines 54-59, the web application server 38 identifies the subscriber requesting initiation of a call using information associated with the request and sends a query to the database server 54 requesting subscriber rules which determine how the call request is to be completed to the service subscriber 32. There is no reference to a data communication link between the workstation (client 18 and 20) and the destination (telephone 34 or 58).

Third, neither the workstation (client 18 and 20) receives from the destination (telephone 34 or 58) the telephone address of the destination nor the workstation requests the switch (PBX 49) to transfer the telephone call to the supplied telephone address. At col. 5, lines 41-57, a query is made to a database that stores the resource management index table (Table I) that includes the subscriber ID, the telephone number of the subscriber termination, and an IP address. In the example, the called service subscriber is requested to provide transfer instructions for the call (*i.e.*, whether or not the call is to be transferred to the PSTN). The called service subscriber does not provide the telephone address to which the call is to be transferred. He simply provides instructions on whether or not the call is to be handled by the PSTN or Voice Over IP. Col. 6, lines 4-15, simply states that Internet users such as clients 18 and 20 access their ISPs through dial-up connections or modems, that dial-up connections may serve the dual function of data transfer and voice transfer for telephone conversations using telephone 24, and that client 20 has a dataline 26 for accessing the Internet and

Application No. 09/235,065

a telephone line 28 for voice communications using telephone 30. Col. 9, lines 1-32, provides more instructions on how a call transfer request to the PSTN is handled. A preference request is supplied to the subscriber. The request requests that the subscriber provide instructions indicating whether the incoming call is to be transferred to the PSTN or bridged at the CTI hardware 44 to maintain more flexibility in call handling. The request may provide the subscriber with the called number and the name of the calling party. On receipt of the instructions, the CTI server passes a message back to the server 38 that the call is to be transferred and the server 38 instructs the CTI server to join the calls at the CTI hardware 44. The call progresses as normal "and the telemarketing agent at telephone 34 has control to permit the call to be transferred, or to conference in other parties, as desired." As noted, the call "transfer" refers to the selected medium to carry the telephone call. The endpoints to the call remain the same after the transfer. Finally, col. 10, lines 16-30, the web server 38 receives an electronic mail address and prepares a query message to the directory server 45 (*not the destination*) for translating the electronic mail address to a telephone number. The server 45 (*and not the destination as required by the claims*) returns the telephone number, and the server 38 instructs the CTI server 40 to call the returned number.

Accordingly, the pending claims are allowable.

The dependent claims provide further reasons for allowance. For example, Claim 70 teaches that the (source) workstation requests a destination selector for the data address. (*See also Claims 87, 104, 107 and 114.*)

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation

Application No. 09/235,065

would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.



Respectfully submitted,

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